

THE SOUTH DAKOTA BOARD OF MEDICAL AND
OSTEOPATHIC EXAMINERS

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IN THE MATTER OF THE SD PHYSICIAN
ASSISTANT LICENSE OF ROD SIMMONS,
PA-C, LICENSE #0200

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STIPLULATION ON AGREED
DISPOSITION

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This Stipulation on Agreed Disposition, made and entered into by the South Dakota Board of Medical and Osteopathic Examiners, hereinafter referred to as Board, and licensee Rod Simmons, PA-C, hereinafter referred to as Mr. Simmons, and his attorney if so designated, WITNESSETH:

WHEREAS, Mr. Simmons agrees that he was duly licensed by the Board, and that his license was lawfully suspended and revoked by the Board on February 9, 2001, due to his chemical dependency and use of controlled substances; and

WHEREAS, the parties have reached agreement as to the terms and conditions whereby the Board would reactivate Mr. Simmon's license to practice as a physician assistant in the State of South Dakota;

NOW, THEREFORE, based upon the foregoing, the parties stipulate and agree as follows:

That license #0200 issued to Mr. Simmons be placed on probation for as long as he is the holder of a physician assistant license issued by the Board, and in the event that any conduct of Mr. Simmons violates the provisions set forth in this agreement, or in the event that Mr. Simmons is convicted of any Class 1 misdemeanor or felony, which is related to

alcohol or controlled substances, the Board shall have the right to and may summarily revoke and suspend medical license #0200 without further hearing thereon and without additional notice to Mr. Simmons other than service on him of a copy of its Order of Summary Revocation and Suspension thereon. Mr. Simmons also waives all rights to due process of law.

That for as long as he is the holder of a physician assistant license issued by the Board, Mr. Simmons shall abide by and comply with all the following terms and conditions:

a) That Mr. Simmons shall comply with all laws set forth in SDCL Chapter 36-4A as well as all rules and regulations pertaining to the physician assistant practice in South Dakota, and

b) That Mr. Simmons will permit the Board or its authorized agents to have free access to all records relating to medical services provided by him to patients, to answer questions and disclose information thereon as requested by the Board or its authorized agents, and shall comply with and cooperate with requests from the Board or its authorized agents.

c) That Mr. Simmons shall not engage in the personal use of alcohol.

d) That Mr. Simmons shall not engage in the personal use of any controlled substance unless such controlled substance is prescribed by a physician licensed under SDCL Chapter 36-4 or by a physician licensed by a similar examining Board.

e) That Mr. Simmons shall attend Narcotics Anonymous (NA) and/or Alcoholics Anonymous (AA) meetings in his home community according to a schedule prepared by SDHPAP or at least two times per week, whichever is greater, and when requested by the Board, Mr. Simmons shall provide independent verification of such attendance.

f) That Mr. Simmons agrees that he shall not write prescriptions for any controlled substances.

g) That upon requests by the Board, Mr. Simmons has the burden to prove that he is in compliance with the terms and conditions of this agreement. That his refusal to prove that he is compliance shall constitute revocation of his license.

This Stipulation on Agreed Disposition is a matter of public record as defined by South Dakota law and shall be reported to all parties and entities that the Board deems appropriate under the circumstances.

Mr. Simmons agrees that there have been no inducements, threats or promises made in order to obtain his acceptance of this Stipulation on Agreed Disposition and that he signs it of his own free will and under no duress.

Mr. Simmons acknowledges that he has the right to have this agreement reviewed by his attorney or may waive this right if he so chooses. If Mr. Simmons does not have an attorney sign this agreement in his behalf, then it is presumed that he waived his right to have an attorney review this agreement.

Dated this 17 day of September, 2007.

THE SOUTH DAKOTA BOARD OF MEDICAL AND OSTEOPATHIC EXAMINERS

By: Margaret B Hansen
Margaret B. Hansen, Executive Director

By: Rodney Simmons
Rodney Simmons, PA-C. SD Licensee: #0200

By: _____
Attorney for Mr. Simmons